IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.T.SANKARAN

WEDNESDAY, THE 13TH DECEMBER 2006 / 22ND AGRAHAYANA 1928

WP(C).No. 31899 of 2006(V)

PETITIONERS:
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1. K.J.RAJAMMA, AJITHA MANDIRAM,
   THEVALAPPURAM EAST P.O., PUTHOOR,
   KOTTARAKKARA, KOLLAM.

2. CHANDRASEKHARAN PILLAI,
   NELLIYIL VEEDU, CHERUMANGADU,
   PUTHOOR, KOTTARAKKARA, KOLLAM.

3. PANKAJASHI AMMA, VALLIYATTU VEEDU,
   KIZHAKKALATH VEEDU, CHERUMANGADU, PUTHOOR,
   KOTTARAKKARA, KOLLAM.

4. GANGADHARAN, VILAYIL PUTHEN VEEDU,
   CHUNKATHARA, THEVALAPPURAM EAST P.O.,
   PUTHOOR, KOTTARAKKARA, KOLLAM.

5. N.RAVEENDRAN NAIR,
   KURAIKKONAZHIKATHU VEEDU, PUTHOOR P.O.,
   KOTTARAKKARA, KOLLAM.

6. GOPINATHAN NAIR.K.K., VAZHUTHANATHU
   VEEDU, PUTHOOR P.O., KOTTARAKKARA, KOLLAM.

7. PARUKKUTTY (W/O.LATE RAGHAVAN),
   KAMPIYILKUNNATHU VEEDU, KIZHAKKATHIL,
   THEKKUMPURAM, PUTHOOR P.O., KOLLAM.

8. L.RETNAMMA, THONALLOOR VEEDU,
   THEVALAPPURAM, PUTHOOR P.O., KOLLAM.

9. GOWARIKUTTY AMMA,
JAYSREE, JAYALAKSHMI, JAYATHI,
VENUSADANAM, PUTHOOR P.O., KOLLAM.

10. GEORGEKUTTY, PEROORAZHIKATHU VEEDU,
CHERUMANGODU, PUTHOOR P.O., KOLLAM.

11. ROSAMMA RAJAN, KUTTIYIL VEEDU,
CHUNKATHARA, PUTHOOR P.O., KOTTARAKKARA,
KOLLAM.

12. MOHANAN PILLAI.N., S/O.LATE GOWRI AMMA,
CHELAKKATTU VEEDU, PUTHOOR P.O., KOLLAM.

13. SAROJINI.K., KUMARAN.R.,
VELIKKATTAZHIKATHU VEEDU, THEVALAPPURAM EAST
P.O., KOLLAM.

14. C.BALAKRISHNA, K.SANTHAKUMARI,
SANTHI BHAVAN, AUTHAMON, KALAYAPURAM P.O.,
KOTTARAKKARA, KOLLAM.

15. BALAKRISHNAN.S., ALAKKELVEEDU,
(SAJI BHAVAN), CHERUMANGODU, PUTHOOR P.O.,
KOLLAM.

16. G.SOMAVALLI, SREE NARAYANA MANDIRAM,
CHUNKATHARA, PUTHOOR P.O., KOLLAM.

17. THANKAMMA AMMA, PUTHUM VEEDU,
THEVALAPPURAM EAST P.O., PUTHOOR, KOLLAM.

18. SIVAN PILLAI, THANKAMANY AMMA,
KARIMPALYPADINJATTATHIL, THEVALAPPURAM EAST,
THEVALAPPURAM P.O., KOLLAM.

19. KOZHY MATHI, KINTTUMKARAKIZHAKKEVILA-
PUTHEN VEEDU, PUTHOOR P.O., KOLLAM.

20. P.KOSHY, THENGUVILAPUTHEN VEEDU,
CHERUMANGADU, PUTHOOR P.O., KOLLAM.

21. O.KUNCHANDY,
ST.MARY'S HOUSE, PUTHOOR P.O., KOLLAM.

22. S.VIJAYAKUMAR, THAMARASSERIL VEEDU,
THEVALAPPURAM WEST, PUTHOOR P.O., KOLLAM.

BY ADV. SRI.PRATHEESH.P

RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY
THE PRINCIPAL SECRETARY, FINANCE DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM.

2. THE DISTRICT COLLECTOR, COLLECTORATE,
KOLLAM.

3. THE SPECIAL TAHSILDAR, (LA),
K.I.P. KOLLAM, KOTTIYAM, KOLLAM.

BY GOVERNMENT PLEADER SHRI L.G. SURESH BABU.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 13/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.T. SANKARAN, J.

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W.P.(C).NO. 31899 OF 2006

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Dated this the 13th December, 2006

J U D G M E N T

The lands belonging to the petitioners were acquired for the purpose of Kallada Irrigation Project. In respect of some of the lands under the same notification under section 4(1) of the Land Acquisition Act , there were Land Acquisition References as L.A.R.Nos. 81/86, 84/86 and 85/86. Those L.A.Rs were disposed of as per Ext.P1 judgment and compensation was enhanced. The contention of the petitioner is that their lands are much more valuable than the lands covered by Ext. P1 judgment. When they came to know about Ext. P1 judgment, they submitted applications under section 28 A of the Land Acquisition Act . Those applications are marked as Exts. P2 to P2(u). The applications submitted by the petitioners under section 28 A of the Land Acquisition Act are not disposed of so far. The relief prayed for in this Writ Petition is for issue of a writ of mandamus commanding the respondents to consider and dispose of

Exts. P2 to P2(u) applications filed by the petitioners under section 28 A of the Land Acquisition Act.

2. Learned Government Pleader, on instruction, submits that Exts. P2 to P2(u) applications are not disposed of so far.

3. In these circumstances, there will be a direction to the third respondent to dispose of Exts. P2 to P2(u) applications expeditiously, after issuing notice to the petitioners and after hearing them.

4. It is submitted by the Government Pleader that the applications received by the third respondent under section 28A of the Land Acquisition Act are being disposed of according to the priority. The applications submitted by the petitioners shall be disposed of in accordance with the priority taking into account the year in which the applications are submitted, but at any rate, within a period of six months.

The Writ Petition is disposed of as above.

K.T. SANKARAN,
JUDGE.

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